U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

DECLARATION

ATTORNEY'S DOCKET NO. 13533/48103

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a Letters Patent is sought on the invention entitled CREATION OF A BIOLOGICAL ATRIOVENTRICULAR BYPASS TO COMPENSATE FOR ATRIOVENTRICULAR BLOCK the specification of which was filed in the United States Patent and Trademark Office on June 23, 2006 and has been accorded U.S. Serial No. 10/584,303 and which was also filed as PCT International Patent Application No. PCT/US2004/042953 on December 22, 2004.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

PRIOR FOREIGN APPLICATION(S)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NUMBER | DATE OF FILING (day, month, year) | DATE OF ISSUE (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. § 119 |
|---------|-----------------------|-----------------------------------|-------------------------------------|---|
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PRIOR UNITED STATES APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| APPLICATION NUMBER | FILING DATE |
|--------------------|--------------------|
| | (day, month, year) |
| 60/532,363 | 24 December 2003 |

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